

RESPONSE

Applicant respectfully requests reconsideration and allowance in view of the following remarks.

Applicant thanks the Examiner for the interview held on May 25, 2004, in which agreement was reached that the presently cited references do not read on the claims.

The Examiner rejects Claims 1-3, 5-7, 9-31, 42, 44-54, 56-59, 62-66 and 68-81 under 35 USC 012(b) as being anticipated by Inomata et al. The Examiner further rejects Claims 4, 8, 32-41, 43, 55, 60-61, 67 and 82-85 under 35 USC 103(a) as being unpatentable over Inomata et al. in view of Gurney et al. Applicants respectfully traverse the Examiner's rejections.

The newly cited reference to Inomata, as discussed at the interview with the examiner, does not teach the use of "magnetostriuctive sensor". A magnetostriuctive sensor is one where one or more of the magnetic layers is deliberately fabricated with non-zero magnetostriction, as the claims in the present application currently recite. The use of such a magnetostriuctive layer, however, would render the Inomata device useless for the purposes of Inomata's invention. Further, Inomata does not teach the sensing of resistance upon application of pressure, but rather senses the resistance upon application of magnetic field. Column 16, Lines 33-46 of Inomata specifically call out that the various layers sense the resistance upon application of a magnetic field, not pressure. As such, the subject matter recited in independent claims 1, 18, 53, 65 and the claims dependent thereon, distinguishes from Inomata.

Gurney '377 has been previously used in rejecting claims of this application, and the argument previously made illustrate that it is not applicable to the present invention, nor would one of ordinary skill in the art have been motivated to combine it with Inomata

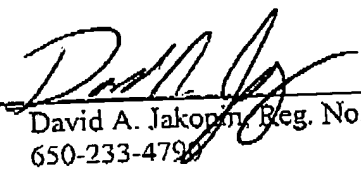
In view of the foregoing, the claims are believed to be in form for allowance, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, he or she is kindly requested to contact the undersigned at the telephone number listed below.

09/747,304

The Commissioner is hereby authorized to charge fees that may be required relative to this application, or credit any overpayment, to our Deposit Account No. 50-2213, Order No. 061450-0270200 (FID-006(U)).

Respectfully submitted
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By


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REPLY TO CUSTOMER NO. 27498

09/747,304